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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
: Examiner: K. Haupt
MINAKO KATO, ET AL.)
: Group Art Unit: 2853
Appln. No.: 10/653,207)
:
Filed: September 3, 2003)
:
For: INK-JET PRINTING METHOD,)
PRINTING SYSTEM, INK-JET)
PRINTING APPARATUS, PRINT)
DATA GENERATING METHOD,)
PROGRAM AND PRINTER DRIVER) May 18, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

Applicants respectfully traverse the election of species requirement set forth in the Office Action dated April 19, 2005.

A careful review of the specification reveals that the two species are closely related and would not require separate fields of search. In that regard, Claim 1 should be deemed generic to at least some of the claims. In more detail, based on the Examiner's characterization of the alleged species, in Species 1, more drops of the second volume are utilized in the second mode than in the first mode (e.g., Claim 1). On the other hand, in

Species 2, only drops of the first volume are used in the first mode and drops of the first and second volumes are utilized in the second mode (e.g., Claim 2, which depends from Claim 1, and Claim 3). It is respectfully submitted that if drops of the second volume are utilized in a second mode and no drops of the second volume are utilized in the first mode, then there are more drops of the second volume utilized in the second mode than in the first mode. Therefore, Claim 1 (as well as Claims 4, 7, 10 and 15) cover both Species 1 and Species 2 and thus are generic.

Moreover, neither Applicants nor the Patent and Trademark Office should be put to the trouble and expense entailed in multiple filing and prosecution. Further, it is respectfully submitted that the public at large should not be required to obtain and study separate patent documents in order to have available all of the issued patent claims covering the invention.

Nevertheless, in order to comply with the requirements of 37 CFR 1.143, Applicants provisionally elect Species 1. It is respectfully submitted that Claims 1, 4, 7, 10 and 15 read on the elected species.

Favorable consideration is requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark A. Williamson", written over a horizontal line.

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